



RESOLUTION

REQUIRING AN ANNUAL BRIEFING ON THE CITY'S ACTIVITIES UNDER THE DECEMBER 26, 2005 CONSENT DECREE BETWEEN THE CITY OF NASHUA, THE UNITED STATES OF AMERICA AND THE STATE OF NEW HAMPSHIRE

CITY OF NASHUA

In the Year Two Thousand and Seven

RESOLVED by the Board of Aldermen of the City of Nashua that

WHEREAS, the United States District Court, District of New Hampshire approved a Consent Decree between the United States of America, the State of New Hampshire, and the City of Nashua on December 26, 2005, pursuant to City of Nashua violations of the federal Clean Water Act, the New Hampshire Water Pollution and Waste Disposal Act, and the City's federal and state National Pollutant Discharge Elimination System Permit;

WHEREAS, the Consent Decree requires the City to perform significant remedial measures, including combined sewer overflow mitigation, high flow management procedures, excessive infiltration and inflow elimination and a long-term preventative maintenance program;

WHEREAS, the Consent Decree contains significant penalties for non-compliance;

WHEREAS, said remedial measures comprise the largest public works project in the City of Nashua, currently estimated to cost \$69 million to completion, with continued costs to operate and maintain the City's wastewater collection and treatment system; and

WHEREAS, the majority of the funds to pay for these remedial measures will come from City of Nashua sewer user fees.

NOW THEREFORE BE IT RESOLVED, *by the Board of Aldermen of the City of Nashua* that the Public Works Division Director and such other staff and consultants as he or she feels necessary shall brief the board of aldermen annually on the status of activities performed pursuant to the Consent Decree, including financial information and projections;

AND BE IT FURTHER RESOLVED, that this annual briefing shall be held during the period between submittal of the mayor's proposed fiscal year budget and board of aldermen adoption of that budget;

AND BE IT FURTHER RESOLVED, that the Aldermanic Infrastructure Committee be authorized to review progress of construction activities, under the Consent Decree, as the committee considers necessary.

AND BE IT FURTHER RESOLVED, that the Board of Public Works shall be invited to attend these briefings, as they have oversight of the city's wastewater collection and treatment system.